

DIVORCE WITH MINOR CHILDREN

4

THE COURT ORDER

Part 4: To get the Divorce Decree

(Instructions and Forms Packet)

DIVORCE FOR A NON-COVENANT MARRIAGE WITH MINOR CHILDREN

Part 4: THE DECREE/COURT ORDER

CHECKLIST

You may use the forms and instructions in this packet if . . .

- ✓ You or your spouse filed a ***“Petition for Dissolution of a Non-Covenant Marriage (Divorce) With Minor Children”***, **AND**
- ✓ You and your spouse have minor children with each other, **AND**
- ✓ You have attended the Parent Information Program and have filed your certificate of attendance with the Clerk of the Court, **AND**
- ✓ You have completed the court papers concerning where the children will live, parenting time for each parent, who will have legal authority to make decisions concerning the children, and child support as well, **AND**
- ✓ You are going to a default hearing **or** you are going to a divorce trial.

READ ME: Consulting a lawyer before filing documents with the court may help prevent unexpected results. A list of lawyers you may hire to advise you on handling your own case or to perform specific tasks, as well as a list of court-approved mediators can be found on the Law Library Resource Center website.

DIVORCE WITH MINOR CHILDREN

PART 4 – FORMS: THE COURT ORDER / DIVORCE DECREE

This packet contains court forms and instructions to file for a divorce with minor children. Items in **BOLD** are forms that you will need to file with the Court. Non-bold items are instructions or procedures. Do not copy or file those pages!

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You will need to use the FREE Online Child Support Calculator to produce the *Child Support Worksheet* that must accompany this *Decree or Agreement*.

Click on **“ezCourtforms – Prepare a Child Support Worksheet.”**

The documents you have received are copyrighted by the Superior Court of Arizona in Maricopa County. You have permission to use them for any lawful purpose. These forms shall not be used to engage in the unauthorized practice of law. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. The documents are under continual revision and are current only for the day they were received. It is strongly recommended that you verify on a regular basis that you have the most current documents.

INSTRUCTIONS: HOW TO FILL OUT THE FORMS for YOUR DECREE OF DISSOLUTION (DIVORCE) FOR A NON-COVENANT MARRIAGE -- WITH MINOR CHILDREN

Use these instructions **only** with the *“Decree of Dissolution of a Non-Covenant Marriage (Divorce) With Minor Children.”* If there are no minor children, by birth or adoption, common to you and your spouse, use the form for a *“Decree of Dissolution of a Non-Covenant Marriage Without Minor Children.”*

What the Decree Means to You. The Decree is the final Court Order that legally ends your marriage. The Decree, once the Judge or Commissioner has signed it, is important because it determines the rights and responsibilities of both you and your ex-spouse. It tells the parties what they can and cannot do. If either party does not do what the Decree tells him/her to do, then the other party may ask the Court for help. **This is a very important document.** Once it has been signed by the Judge, your rights and responsibilities are affected forever.

Failure to do what the Decree tells you to do could get you into trouble with the court. This does not mean that the court will police whether you are following the Decree. It does mean you or your ex-spouse can request a Contempt Order or an Order to Enforce parts of the Decree if you or your spouse fail to do what the Decree tells you to do.

Getting Your Divorce Finalized. Before your divorce can become final, a judicial officer must sign what is called a Decree of Dissolution of Marriage. The Decree tells you who gets the property, who pays the debts, who gets parenting time and legal decision-making of the minor children, who pays support and so forth.

Divorce by Default. If you have a Default Hearing, you must repeat as closely as possible what you requested in your Petition. You cannot mark something different in the Decree from what you asked for in the Petition. If you try to request something other than what you requested in the original Petition, the judicial officer will not sign the Decree. If you want to change your requests to the court, you must file an *amended* Petition. It is a good idea to have your Petition handy when you follow the instructions to fill out your Decree.

The Decree. Fill out the Decree before you go to your hearing or before you give it to the Judge or Commissioner to sign. Do not fill in the Judge's or Commissioner's signature and date. If the Judge or Commissioner disagrees with anything you have written, he or she will change it before signing the Decree.

INSTRUCTIONS FOR FILLING OUT THE DECREE. (The section number in front of each paragraph below corresponds with the section number on the Decree. For example: Read Section 1-3d below. Turn to Sections 1-3d on the Decree. Each section below will help you fill out each section of the Decree.) **TYPE OR WRITE IN BLACK INK ONLY.**

SECTION: INSTRUCTION:

- (A) Write in the name of the person filing the document or the lawyer's name, current address, city, state, zip code, and the telephone number. If you have an ATLAS number, write in the number. If you are represented by an attorney write in the lawyer's state bar number, then indicate whether you represent yourself or if you are the lawyer whether you represent Party A or Party B.
- (B) Write in the Name of the Party A and the Name of the Party B and the case number in the space provided. The names should appear the same way it does on the Petition.

(C) THE COURT FINDS:

- 1-2.** These sections state that before the judge or commissioner signs the Decree, he/she will have determined that the court has the legal power to make the orders in your case.
- 3.** This section informs you that if you served the other party *by publication*, the Court cannot sign a Decree that divides community property and/or debt, or orders the other party to pay spousal maintenance (alimony) or child support or makes findings of paternity until you find and serve notice on your spouse. The Court will be able to divorce you and your spouse and may be able to enter orders regarding legal decision-making and parenting time.
- 4.** This section states that either Party A and/or Party B lived in Arizona at least 90 days before the Petition for divorce was filed.
- 5.** This section states that the parties have attempted reconciliation or the Conciliation statute does not apply. This section also states that the marriage is not a covenant marriage pursuant to A.R.S. §§ 25-901 or 25-902.
- 6.** This section states that the couple is unable to get back together and save their marriage.
- 7.** This section relates to issues of minor children, child support and spousal maintenance, division of property and debt, and states that the Court has made orders about those issues.
- 8.** On the lines provided, you must write the name(s) and birthdate(s) of the child(ren) to whom the Decree applies.
- 9.** **Pregnancy and Paternity:** Place a mark in the proper box to indicate whether a party is or is not pregnant, and indicate who the parent of the child(ren) is. Also, write the name of any child(ren) born to the parties before the marriage.
- 10.** **Spousal Maintenance/Support.** Mark the appropriate box to show which party will receive spousal maintenance/ support (alimony).
- 11.** **Parent Information Program.** Mark the boxes that show which party has completed the Parent Information Program class, and which party has not completed the class. Leave the box empty for the judicial officer to check whether the party who has not taken the Parent Information Program class will be denied any requested relief to enforce or modify the decree until the class has been completed.
- 12.** **Domestic Violence.** If the Court will enter an order for joint legal decision-making (legal custody) for the minor child(ren), check box "1" or box "2". Then explain in writing why it still in the best interests of the minor child(ren) to grant joint or sole legal decision-making (joint or sole legal custody) to a party who has committed domestic violence.
- 13.** **Drug or Alcohol Conviction Within Last Twelve Months.** Mark the box that indicates if either party has been convicted of driving under the influence of alcohol or drugs or any drug offense within 12 months of filing the request for legal decision-making, and whether you believe the legal decision-making (legal custody) and/or parenting time arrangement ordered by this Court appropriately protects the minor child(ren).
- 14.** **Child Support. Check the first box if child support has been determined according to the Arizona Child Support Guidelines.**
- a. Deviation from Child Support.** Leave this section blank. The judicial officer will fill in this section if there is a deviation for child support.

b. Parenting Time Adjustment. Leave this section blank. The judicial officer will fill in this section if there is an adjustment.

c. Ability to Pay Child Support. Leave this section blank. The judicial officer will fill in this section.

15. Legal Decision-Making Authority (Legal Custody) for Minor Child(ren).

Mark this box only if legal decision-making authority for the minor children (legal custody) was contested (you and the other party did not agree about legal custody), or if you and the other party have agreed to joint legal decision-making authority. You must write the reasons in the space provided. See the “**Joint Custody Information**” document in this packet and the “**Planning for Parenting Time: Arizona’s Guide for Parents Living Apart**” booklet for help. The **Guide** is available for purchase at all Superior Court Law Library Resource Center locations, **or** may be viewed online and downloaded for **free** from the state courts’ web page.

16. Supervised or No Parenting Time. Mark this box only if you asked for supervised or no parenting time by the non-primary residential spouse in your Petition, or the parties have agreed to this, or the judge has ordered supervised or no parenting time after a trial. You must have a very good reason for such a request and you must write the reasons in the space provided. See the “**Joint Custody Information**” and “**Guide for Parents Living Apart**” for help.

17. Community Property and Debt. Mark the first box **only** if you and your spouse did not get any property together while you were married and do not owe money to anyone for property or services you got while you were married. If you and your spouse agreed to the division of the property and debt, mark the next box. Otherwise, mark the box that tells the court that the parties have not agreed to a division, but the community property and debt is divided pursuant to the Decree.

18. Separate Property and Debt. Mark the first box **only** if you and your spouse did not get any separate property before you were married and do not owe money to anyone for property or services you got before the marriage. If you and your spouse agreed to the division of the separate property and debt, mark the next box. Otherwise, mark the box that tells the court that the parties have not agreed to a division, but the separate property and debt is divided pursuant to the Decree.

(D) THE COURT ORDERS:

1. MARRIAGE IS DISSOLVED. This section ends your marriage.

2. NAME RESTORATION. Write in the former name of Party A or Party B/ here **ONLY** if Party A or Party B or wants to use and/or be called by the former/maiden name. (The law does not require you to use your former/maiden name.)

3. ENFORCEMENT OF TEMPORARY ORDERS. If the court ordered temporary payment of child support, spousal maintenance/support (alimony), debt division, or other temporary orders, fill in the dates of ALL of the temporary orders. This section allows you to enforce nonpayment of those debts.

4.a-b. PREGNANCY AND PATERNITY. If Party A or Party B is pregnant, write in the expected date of birth for the unborn child. In section a, you must also write the names of the minor child(ren) common to the marriage, either natural or adopted, and the child(ren)'s date(s) of birth in the space provided. In section b, check the box if there are any children born prior to the marriage and both Party A and Party B are the parents of the children. Write the names of the minor child(ren) born before the marriage and the child(ren)'s date of birth. Regarding the minor child's birth certificate, place a mark in the box if you want the Court Clerk to forward a copy of the court order to the State Office of Vital Records. Then write the full name of the parent to be added to the birth certificate as appears on the Social Security card or other government issued official document and as should appear on the children's birth certificate(s).

Name Change: This is optional. If you planned to change the name on this court order, write in the current name of the minor child first, then the new name.

4.c. Minor Child(ren) to Whom This Decree Does Not Apply: Write in the name and birthdate of the child born during the marriage but **not** common to the parties.

5. PRIMARY RESIDENCE, PARENTING TIME, and AUTHORITY FOR LEGAL DECISION-MAKING (LEGAL CUSTODY)

5.a. PRIMARY RESIDENCE. Place a mark in the box to indicate whether Party A's, Party B's or neither Party's home is designated as the minor child(ren)'s primary residence. Then write in the name of the child(ren) who will live primarily with either Party A or Party B.

5.b. PARENTING TIME. Place a mark in the box to indicate the type of Parenting Time decided by the judge. If a party is not awarded any parenting time, place a mark in the box showing whether Party A or Party B is not awarded Parenting Time. Finally, if Supervised Parenting Time is chosen, mark the box to show which party is assigned payment of the cost of Supervised Parenting Time. If applicable, write in any Parenting Time restrictions assigned by the judge. If both spouses agree to a Parenting Plan, both must complete the Plan and sign it. If only one spouse agrees to the Parenting Plan and you have a default divorce hearing, you still must complete the Parenting Plan and tell the Court what you think should be the parenting time arrangement.

5.c. AUTHORITY FOR LEGAL DECISION-MAKING (Legal Custody). The legal decision-making authority box you mark should be the same as what you asked for in your Petition for Dissolution, unless you and the other party have signed a Joint Legal Decision-Making Agreement and you are attaching it to the Decree OR you have had a trial and the judge has ordered something different than what is in your Petition.

- 1) For SOLE legal decision-making, mark who is to have sole legal decision-making authority for the minor child(ren), Party A or Party B.
- 2) For JOINT legal decision-making, mark the second box - do not mark box 1 above. Remember, you must attach a copy of the Joint Legal Decision-Making Agreement and Parenting Plan as Exhibit B signed by both parents, which the judicial officer must approve if you want Joint Legal Decision-Making Authority. The Agreement will be included as part of the Court Order ending your marriage.

6.a. CHILD SUPPORT: If the child support Order will be attached to the final divorce decree, mark the first box. Then, mark who is to pay the child support and how much to the other party based on the request in the Petition for Dissolution, or on the party's agreement. Otherwise, leave the space blank and the judicial officer will fill in the amount. If service of the first petition papers was by Publication, the Petition was not personally served. If this is the case, and the case is set for a Default Hearing, place a mark in the second box, so the court may reserve jurisdiction to enter further orders at such time as the Court acquires personal jurisdiction over the responding party.

6.b. MEDICAL, DENTAL, VISION CARE INSURANCE, PAYMENTS, AND EXPENSES: Mark who will be responsible for medical, dental, and vision care insurance. For Non-Covered Expenses, mark what percent each party will pay for uninsured expenses.

7. SPOUSAL MAINTENANCE (ALIMONY).

- a. Mark this box if neither party is requesting spousal maintenance.
- b. Mark this box if you requested spousal maintenance (alimony) in the Petition and you have a Default Hearing. (You cannot get spousal maintenance if the other party was served by publication.) **OR** Mark this box if the parties agreed that one party would pay the other party spousal maintenance.

Then mark who is to pay the spousal maintenance and who will receive the spousal maintenance. If the parties agree, put in the amount and the date the spousal maintenance will end. Otherwise, you should leave the amount and number of months of spousal maintenance blank until the judge approves the request. Be prepared to tell the judge what amount you are asking for, for what period, and why.

8. PROPERTY, DEBTS and TAX RETURNS.

- 8.a.** Mark the first two boxes, if each party will pay the debts that are unknown to the other party. By marking the third box under 8.a., you are telling the court you do **not** want to pay for bills your spouse incurred after you separated. Write the approximate date you separated on the line provided.
- 8.b.** Mark this box if there is property and debts to be divided, even if you have already divided the property. You can give the Court this information on **“EXHIBIT A: COMMUNITY PROPERTY AND DEBTS”** that you must attach to the Decree if you mark this box. Instructions for Exhibit A are included at the end of this instruction.
- 8.c.** This states that you and your spouse get to keep property that you owned from before the marriage or that was a gift to you during the marriage. You also can keep any personal items, clothing, and any other property you own that is not considered community property. This section also states that you and your spouse are each responsible for any debt that you acquired from before the marriage.
- 8.d.** This means either spouse can record the Decree if there is a transfer of title to certain property, like a house. This section also requires each spouse to sign documents to transfer other property, like titles to cars, and so forth. If you have a quit claim deed that transfers property from one spouse to the other spouse, attach a copy of the deed to the Decree, and check this box. Write in the date that both parties shall transfer all real and personal property.
- 8.e.** Mark this box and tell the court whether the parties will file joint or separate tax returns for previous years if taxes have not been paid. For this calendar year, and future calendar years neither you nor your spouse can file joint tax returns. According to the IRS, State law governs whether you are married, divorced, or legally separated. If you are divorced under a final decree by the last day of the year, you are considered unmarried for the whole year. See a lawyer or accountant for advice if you are not sure which box to check OR call the **IRS** at **1-800-829-4477** or visit their INTERNET site for help.
- 9. FINANCIAL INFORMATION EXCHANGES:** This shows that the parties must share/exchange financial information every 24 months. This information is important in determining amounts of child support or other related issues.
- 10. TAX EXEMPTIONS:** Decide which Party will claim the children on income tax forms, for which year. Federal and state laws apply here. If you are not sure what to do, ask a lawyer or an accountant for help.
- 11. OTHER ORDERS.** List any other orders that are not described in the Decree.

FINAL APPEALABLE ORDER. This decree/order/judgment is a final order and may be appealed.

(E) SIGNATURES SECTION:

- Do not sign or date the Decree for the Judge or Commissioner
- If there is a Default Hearing, you, must mail a copy of the Decree to the other Party after the judge has signed it.

(F) “EXHIBIT A: COMMUNITY PROPERTY AND DEBT” SECTION

IF YOU MARKED the first box of **18. ON YOUR DECREE** AND HAVE NO COMMUNITY PROPERTY OR DEBTS, **STOP HERE**; you have completed your Decree. If you have community property or community debt listed in your Petition, copy that information from your Petition to **“Exhibit A”**. **REMEMBER:** If you are going by default, the division of property must be identical to the list in your petition. You cannot add new community property to the list, although you can give your spouse more property than is listed on your petition. Make sure it is **very clear** who gets what property. Describe the property **in detail** and then designate whether Party A or Party B gets that property.

- 1. Division of Community Property.** Mark the first box about community property, if each Party is going to keep the personal property in his/her possession. Mark the second box if community property is going to be awarded to each party according to section 2.

2. **List of Community Property.** Mark the box next to each type of community property you own and describe the property. The mark the box showing to which Party the property is being given.
3. **Retirement, Pension, Deferred Compensation.** Decide what you want to do about these assets. Generally, each spouse is entitled up to a one-half interest in the pension or retirement or deferred compensation benefits of the other spouse based upon the length of time the parties were married. This is **very complicated, and very important** to both spouses. If you are entitled to any interest in your spouse's retirement assets, you may be required to file a **Qualified Domestic Relations Order**.

This is a very important document. The Court and the Law Library Resource Center do not have this document. See a lawyer for help. Check the box that describes what you asked for in the Petition or what the parties have agreed to.
4. **Division of Real Property:** Use this section if you own a home or real estate together. This information, including the address and legal description should also be the same as what you provided in the Petition. Decide which spouse gets the property, OR whether it should be sold and any proceeds divided.
5. **Division of Debts:** List all debts you listed on your Petition for Dissolution. You can update the amounts owed, only if the amounts are less than those amounts in the Petition or the parties agree to update the amounts. Then put which debts are to be the responsibilities of which party.
6. **Also,** decide if you want the order to divide debts incurred by a spouse that are not listed to be paid by the spouse who incurred the debt. Remember, just because the Decree orders either spouse to pay debts does not mean that the creditor cannot pursue collection from the other spouse, even after the divorce decree.
7. **Separate Property.** List your separate property and the other party's separate property. Then check the box to say who gets the property.
8. **Separate Debt.** List your separate debt and the other party's separate debt. Then check the box to say who pays the debt.

OTHER IMPORTANT PAPERS IN THIS PACKET

PARENTING PLAN

Fill out the Parenting Plan to let the Court know details about what you want for legal decision-making authority and parenting time. It is important to be specific when filling out the Parenting Plan. You may refer to the "Planning for Parenting Time: Arizona's Guide for Parents Living Apart" to help make your parenting plan. The Guide is available for purchase at all Superior Court Law Library Resource Center locations, or may be viewed online and downloaded for free from the State Courts' webpage.

After completing the Parenting Plan, include it with your Decree.

Refer to "**Planning for Parenting Time: Arizona's Guide for Parents Living Apart**" to help make your new parenting plan. The **Guide** is available for purchase at all Superior Court Law Library Resource Center locations, **or** may be viewed online and downloaded for **free** from the state courts' web page.

CHILD SUPPORT ORDER

Write in the name of the person filing the document or the lawyer's name, current address, city, state, zip code, and the telephone number. If you have an ATLAS number, write in the number. If you are represented by an attorney write in the lawyer's state bar number, then indicate whether you represent yourself or if you are the lawyer whether you represent Party A or Party B.

Write in the Name of the Party A and Party A's Date of Birth, the Name of the Party B and Party B's Date of Birth and the case number in the space provided. The names should appear the same way it does on the Petition.

Fill in the full name of the legal parents (Party A and Party B) of the minor children who are the subject of this **"Child Support Order."**

Fill in the full name and birth date of all minor children who are the subject of this **"Child Support Order."** (Use extra pages if necessary).

LEAVE THE REST OF THE FORM BLANK. THE JUDGE OR COMMISSIONER WILL COMPLETE THE REST OF THE INFORMATION AND SIGN THE ORDER.

OTHER IMPORTANT PAPERS TO BE COMPLETED NOT IN THIS PACKET

CHILD SUPPORT WORKSHEET

You can use the free Online Child Support Calculators at the websites listed below to complete a child support worksheet and current employer information sheet.

ezCourtForms (<https://www.superiorcourt.maricopa.gov/ezCourtForms/index.asp>)

Arizona Supreme Court (<http://www.azcourts.gov/familylaw/Child-Support-Calculator-Information>)

To complete the child support worksheet you will need to know:

- Your case number.
- Your monthly gross income and that of the other parent.
- The monthly cost of medical insurance for the minor children who are the subject of this action.
- Monthly childcare amounts paid to others.
- The number of days the minor child(ren) spend with the non-primary residential (custodial) parent.
- Monthly obligations of yourself and the other parent for child support or court-ordered spousal maintenance/support

After completing the child support worksheet and current employer information sheet, print out the child support worksheet and current employer information sheet and include them with your Decree.

REMINDERS:

1. **Be sure to attach "EXHIBIT A" about property and debts to your decree.**
2. **Be sure to include a quit claim deed, if a quit claim deed has been signed.**

PROCEDURES: HOW TO GET YOUR DECREE OF DISSOLUTION SIGNED BY THE JUDGE

REQUIREMENTS:

A decree is your final court order that states that you are legally divorced. Before you get the decree, the following requirements must be completed.

- ✓ **Parent Information Program:** The court must have a copy of your "Certificate of Completion" showing that you attended the Parent Information Program.
- ✓ **Fees:** Your court fees must be paid. This includes all filing fees. If you were granted a deferral (Payment plan), the payments must be current. Please note: you must **attach** to the decree, **proof** of payment for fees in the form of a receipt, or a copy of the Order for initial Deferral of fees.
- ✓ **Time Frame:** The parties must wait at least 60 days after the date the other party was personally served a copy of the Petition and other documents, before you file your Decree with the Court.

If you completed the above requirements, follow the steps below.

PROCEDURES:

STEP 1 **COMPLETE the FORMS in the packet:** Remember your **original forms** are the papers you wrote on, or printed from the computer:

- **DECREE** of Dissolution.
 - **ADD** to the last page of the Decree, the completed **Exhibit A** about the division of property and debt, if it is not a part of the Decree already.
 - **ADD** to the last page of the Decree, the fee RECEIPT or a copy of the ORDER for Initial Deferral to show the "Paid" status of your case.
- **Parenting Plan**, signed by you.
- **Child Support Order**

STEP 2 **COMPLETE** the Child Support Worksheet, and Current Employer Information **ONLINE** via ezCourtForms

[\(<https://www.superiorcourt.maricopa.gov/ezCourtForms/index.asp>\)](https://www.superiorcourt.maricopa.gov/ezCourtForms/index.asp) or

the Arizona Supreme Court website,
[\(<http://www.azcourts.gov/familylaw/Child-Support-Calculator-Information>\)](http://www.azcourts.gov/familylaw/Child-Support-Calculator-Information).

PRINT OUT 1 COPY of the completed Child Support Worksheet and Current Employer Information Sheet.

STEP 3 PHOTOCOPY - Make two (2) photocopies of the set of original forms listed above.

STEP 4 SEPARATE - Make three (3) sets of the papers you photocopied:

SET 1 - ORIGINALS FOR CLERK OF COURT:

- ***“Decree of Dissolution”***
- **+ *“Exhibit A”*** about the division of property and debt, if it is not part of the decree
- **+FEE RECEIPT**, or a copy of the ORDER for initial fee deferral
- ***“Parenting Plan”***
- ***“Child Support Worksheet”***
- ***“Child Support Order”***
- ***“Current Employer Information”***

SET 3 – YOUR COPIES

- ***“Decree of Dissolution”***
- **+ *“Exhibit A”*** about the division of property and debt, if it is not part of the decree
- **+FEE RECEIPT**, or a copy of the ORDER for initial fee deferral
- ***“Parenting Plan”***
- ***“Child Support Worksheet”***
- ***“Child Support Order”***
- ***“Current Employer Information”***

SET 2 - COPIES FOR SPOUSE:

- ***“Decree of Dissolution”***
- **+ *“Exhibit A”*** about the division of property and debt, if it is not part of the decree
- **+FEE RECEIPT**, or a copy of the ORDER for initial fee deferral
- ***“Parenting Plan”***
- ***“Child Support Worksheet”***
- ***“Child Support Order”***
- ***“Current Employer Information”***

STEP 5 Take the documents to your court default hearing or to your trial for the Judge to review and sign if he or she approves them.

LAW LIBRARY RESOURCE CENTER

PARENTING PLAN INFORMATION

A.R.S. § 25-401 defines legal decision-making and parenting time as follows:

1. **"Legal Decision-Making"** means the legal right and responsibility to make all nonemergency legal decisions for a child including those regarding education, health care, religious training and personal care decisions.
2. **"Joint Legal Decision-Making"** means both parents share decision-making and neither parent's rights nor responsibilities are superior except with respect to specified decisions as set forth by the Court or the parents in the final judgment or order.

PARENTS PLEASE NOTE: Per A.R.S. § 25-403.09, an award of joint legal decision-making or a substantially equal parenting time plan does not diminish the responsibility of either parent to provide for the support of the child. Also note that joint legal decision-making does not necessarily mean equal parenting time. A.R.S. § 25-403.02(E)

3. **"Sole Legal Decision-Making"** means one parent has the legal right and responsibility to make major decisions for a child.
4. **"Parenting Time"** means the schedule of time during which each parent has access to a child at specified times. Each parent during their scheduled parenting time is responsible for providing the child with food, clothing and shelter and may make routine decisions concerning the child's care.

You may view the "Parenting Time Guidelines" online at the Arizona Supreme Court's website.

Drafting a Parenting Plan:

The written parenting plan pays attention to how the parents will make decisions pertaining to the child(ren)'s education, health care, religious training, and personal care; it is a blend of specific information with generalized plans of action. It should reflect what the parents are currently doing or what they actually plan to do. It should reflect a commitment to the minor child(ren)'s needs as predominant.

If the parents cannot agree on a plan for legal decision-making or parenting time, each parent must submit a proposed parenting plan. A.R.S. § 25-403.02(A)

In order for the Court to approve a parenting plan, A.R.S. § 25-403.02 requires the Court to make the following findings:

- a. The best interests of the minor child(ren) are served;
- b. The plan designates legal decision-making as joint or sole;
- c. The plan sets forth each parent's rights and responsibilities for the personal care of the minor child(ren) and for decisions in areas such as education, health care, and religious training;
- d. The plan provides a practical schedule of parenting time for the child, including holidays and school vacations;

- e. The plan includes a procedure for exchanges of the child, including location and responsibility for transportation;
- f. The plan includes a procedure by which proposed changes, disputes and alleged breaches may be mediated or resolved, which may include the use of Conciliation Services or private counseling;
- g. The plan includes a procedure for periodic review (e.g., parents agree to review the terms of the agreement every 12 months.);
- h. The plan includes a procedure for communicating with each other about the child, including methods and frequency;
- i. The plan includes a statement that each party has read, understands, and will abide by the notification requirements of A.R.S. § 25-403.05(B). (A parent must immediately notify the other parent if the parent knows that a convicted/registered sex offender or a person who has been convicted of a dangerous crime against children may have access to the child. Notice must be provided (i) by first class mail, return receipt requested, (ii) by electronic means to an e-mail address the recipient provided to the parent for notification purposes, or (iii) by other communication accepted by the Court.)

The following questions may be used as a starting place when drafting a parenting plan:

1. **The geographical location of the parents:** Where do parents live relative to one another? What are their addresses? Permanent or temporary?
2. **Arrangements regarding the residential requirements of the minor child(ren):** How much time will the minor child(ren) spend with each parent? Be as specific as possible, including days and times.
3. **Arrangements for holidays and vacations:** What are your plans for summer vacation and school breaks? List specific details including dates and times.
4. **Arrangements for education:** How will decisions be made for educational matters? For example, if preschool age, what school will the minor child(ren) attend? If private school, who pays what?
5. **Additional transportation arrangements:** Will any additional transportation arrangements be needed? If so, what will be the responsibilities of each parent?
6. **Determinations regarding minor child(ren)'s health care:** For example, how will medical decisions be made? Who will provide insurance? How are non-insured expenses paid? Who decides on seeking non-emergency treatment? Is there a dental plan? If not, who will pay what?
7. **Arrangements regarding extraordinary expenses:** For example, what financial arrangements are made for the minor child(ren) (such as each sharing extraordinary expenditures and the parent with whom the minor child(ren) resides bearing the ordinary ones during the minor child(ren)'s residency)? A fixed amount per month?
8. **Arrangements for minor child(ren)'s religious training, if any:** For example, how will decisions be made for religious training? What, if any, are the plans for religious training?
9. **Any other factors:** What other arrangements (such as music lessons, sports/activity fees, camp or Scouts) are needed?

Person Filing: (A) _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____

FOR CLERK'S USE ONLY

Representing ☐ Self, without a Lawyer or ☐ Attorney for ☐ Petitioner OR ☐ Respondent

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

(B) Petitioner / Party A

Case Number: _____

ATLAS Number: _____
(if applicable)

(B) Respondent / Party B

DECREE OF DISSOLUTION OF A NON- COVENANT MARRIAGE WITH MINOR CHILDREN

THE COURT FINDS: (c)

1. This case has come before this Court for a final Decree of Dissolution of Marriage. The Court has taken all testimony needed to enter a Decree, or the Court has determined testimony is not needed to enter the Decree.
2. This Court has jurisdiction over the parties under the law and the children under the provisions of A.R.S. § 25-1301. The provisions of this Decree are fair and reasonable under the circumstances, and are in the best interests of the minor child(ren) as to authority for legal decision-making (legal custody), parenting time, and support.
3. **SERVICE BY PUBLICATION:**
☐ The Petition for Dissolution was served by publication. The Court cannot make a legal order, with respect to issues of child support, medical and dental insurance, payments, expenses for the minor child(ren), community property or debt, or spousal maintenance/support. The Court reserves jurisdiction until personal service of the Petition for Dissolution is effected to consider the maintenance/support of spouse, the disposition of community property or debts, child support, and any other relief requested in the Petition or orders deemed necessary by the Court.
4. **90 DAY REQUIREMENT:** At the time this action was filed, one or both parties had lived in, or been stationed in Arizona while a member of the United States Armed Forces, for more than 90 days.
5. **Conciliation and Covenant Marriage:** The provisions of A.R.S. § 25-381.09 relating to Conciliation Court either do not apply or have been met. **This marriage is not a covenant marriage.**
6. **Irretrievably Broken:** The marriage is irretrievably broken.
7. **Issues of Minor Children, Child Support and Spousal Maintenance, Division of Property and Debt:** Where it has the legal power and where it is applicable to the facts of this case, this Court has considered, approved, and made Orders relating to issues of legal decision-making (legal custody), parenting time, child support, spousal maintenance (alimony), and the division of property and/or debts.

8. THIS ORDER APPLIES TO THE FOLLOWING CHILD(REN):

Name	Date of Birth
_____	_____
_____	_____
_____	_____

☐ Same information for additional children listed on attached page made part of this document by reference.

9. Pregnancy and Paternity:

- ☐ Party A is **not** pregnant, **OR**
- ☐ Party A is **pregnant**, and Party B ☐ **IS** OR ☐ **IS NOT** a parent of the child.
- ☐ Party B is **not** pregnant. **OR**
- ☐ Party B is **pregnant** and Party A ☐ **IS** OR ☐ **IS NOT** a parent of the child.
- ☐ Party A and Party B are the legal parents of the following child(ren) born to the parties *before* the marriage:

Name(s)	Date(s) of Birth
_____	_____
_____	_____
_____	_____

10. Spousal Maintenance/Support:

- ☐ **Party A, OR ☐ Party B** lacks enough property, including property given to him or her as part of this divorce, to provide for his or her reasonable needs, and is unable to support himself or herself through an appropriate job, or he or she is providing the primary care to a child(ren) of young age or is of a condition that they should not be required to look for work outside the home, or lacks earning ability necessary to support himself or herself, or contributed significantly to the educational opportunities of the other spouse, or had a marriage that lasted a long time and is of an age that may severely limit the possibility of getting a job to support himself or herself.

11. Parent Information Program:

- A. Party A** ☐ has attended the Parent Information Program as evidenced by the **“Certificate of Completion”** in the Court file. **OR**
- Party A** ☐ has not attended the Parent Information Program and ☐ shall be denied any requested relief to enforce or modify this decree until Party A has completed the class.
- B. Party B** ☐ has attended the Parent Information Program as evidenced by the **“Certificate of Completion”** in the Court file. **OR**
- Party B** ☐ has **not** attended the Parent Information Program and ☐ shall be denied any requested relief to enforce or modify this decree until Party B has completed the class.

- 12. Domestic Violence:** If the Court enters an order for joint legal decision-making (legal custody) for the minor child(ren), check box "1" or box "2" and explain.

- A. ☐ Domestic violence **has not** occurred during this marriage, **OR**
- B. ☐ Domestic violence **has** occurred, but
- ☐ It was **mutual** (committed by both parties), (see A.R.S. § 25-43.03(D).)
- ☐ It is otherwise still in the **best interests of the minor child(ren)** to grant joint or sole legal decision-making (joint or sole legal custody) to a party who has committed domestic violence because:

- 13. Drug Or Alcohol Conviction Within Last Twelve Months:**

- ☐ **Party A** has been convicted of driving under the influence of alcohol or drugs, or was convicted of any drug offense within 12 months of filing the request for legal decision-making (legal custody).
- ☐ **Party B** has been convicted of driving under the influence of alcohol or drugs, or was convicted of any drug offense within 12 months of filing the request for legal decision-making (legal custody).
- ☐ The legal decision-making (legal custody) and/or parenting time arrangement ordered by this Court appropriately protects the minor child(ren).

- 14. Child Support:** The Court finds that Party A and Party B owe a duty to support the child(ren) listed above. The required financial factors and any discretionary adjustment pursuant to the Arizona Child Support Guidelines are as set forth in the Parent's Worksheet for Child Support are attached hereto and incorporated by reference.

- ☐ Child support has been determined in accordance with the Arizona Child Support Guidelines.

OR

- ☐ **a. Deviation from Child Support:** Application of the Arizona Child Support Guidelines in this case is inappropriate or unjust. The Court has considered the best interests of the minor child(ren) in determining that a deviation is appropriate and makes the following findings:

- ☐ Application of the guidelines is inappropriate
- ☐ Application of the guidelines is unjust

The Court makes the following finding regarding the deviation:

- ☐ The child support order would have been \$ _____
- ☐ The child support order after deviation is \$ _____

- b. Parenting Time Adjustment:** Court Approved Discretionary Parenting Time Adjustment And/or other Adjustments: (The Court must make written findings if any of these adjustments are made.)

- c. Ability to Pay Child Support:** The Court finds that the person responsible for paying child support has the ability to pay child support:

- ☐ In the amount entered on Line 34 of the Worksheet for \$_____
- ☐ In an adjusted amount calculated using the self-support reserve on line 35 of the Worksheet for \$_____

- 15. Legal Decision-Making Authority (Legal Custody) for Minor Child(ren):** (Check/complete **only if** legal decision-making authority (legal custody) is contested or joint legal decision-making (legal custody) is ordered.)

- ☐ The legal decision-making authority (legal custody) order or agreement is in the best interests of the minor child(ren) for the following reasons: (List the reasons.)

REASONS:

- 16. Supervised or No Parenting Time:** (Check and complete **if** applicable.) (Check and complete **only if** supervised parenting time or no parenting time is ordered.)

- ☐ **Supervised Parenting Time** between the minor children and ☐ Party A **OR** ☐ Party B
- OR**
- ☐ **No Parenting Time by** ☐ Party A **OR** ☐ Party B, **is in the best interests of the minor child(ren), for the following reasons:** (Explain the reasons)

REASONS:

- 17. Community Property and Debt:**

- ☐ The parties did **not** acquire any community property or debt during the marriage, **OR**
- ☐ There **IS** an agreement as to division of community property and debt; all community property and debt is divided pursuant to this Decree.
- ☐ There is **NO** agreement as to division of community property and debt, but all community property and debt is divided pursuant to this Decree.

- 18. Separate Property and Debt:**

- ☐ The parties did **not** acquire any separate property or debt during the marriage, **OR**
- ☐ There **IS** an agreement as to division of separate property and debt; all separate property and debt is divided pursuant to this Decree.
- ☐ There is **NO** agreement as to division of separate property and debt, but all separate property and debt is divided pursuant to this Decree.

THE COURT ORDERS: (D)

1. **MARRIAGE IS DISSOLVED:** The marriage of the parties is dissolved and the parties are restored to the legal status of single persons.

2. **NAME RESTORATION:**

<input type="checkbox"/> The name of the	<input type="checkbox"/> Party A	or	<input type="checkbox"/> The Party B, whose complete married name is :

Is restored to: (List the complete legal name or maiden name as before this marriage)

--	--	--

3. **ENFORCEMENT OF TEMPORARY ORDERS:** All obligations ordered to be paid by the parties in

Temporary Orders dated (fill in dates of ALL temporary orders here) _____

_____ are satisfied in full **OR**

☐ judgment is awarded against the party with the obligation up to the amount due and owing as of the date of this Decree, with the highest legal interest allowed by law, for the total amount of \$_____.

4. **PREGNANCY AND PATERNITY**

☐ **A child who is common to the parties is expected to be born this date:** _____

The orders below as to legal decision-making (legal custody), parenting time, child support, and medical insurance/expenses do **not** include this child; the Court reserves jurisdiction to address these issues regarding this child when the child is born.

- a. **CHILDREN:** This Decree includes all minor children common to the parties as follows:

NAME(S) OF MINOR CHILD(REN)	DATE(S) OF BIRTH
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

- b. ☐ **PATERNITY:** The Party A and Party B are declared to be the parents of the minor children named below, born *before* the marriage:

Children Born BEFORE the Marriage	DATE(S) OF BIRTH
_____	_____
_____	_____
_____	_____

☐ FOR ANY ABOVE-NAMED MINOR CHILD BORN IN THE STATE OF ARIZONA, THE CLERK OF COURT SHALL FORWARD A COPY OF THIS ORDER TO THE OFFICE OF VITAL RECORDS, WHICH IS ORDERED TO AMEND THE BIRTH CERTIFICATE(S) AS FOLLOWS:

(List full names of / the party as appears on the party's Social Security card or other government issued official document and as should appear on the children's birth certificate(s))

1. **Add the name:** (List one name only)

--	--	--	--

as a parent on the above-named minor child(ren)'s birth certificate(s) if no name is already listed.

2. **NAME CHANGE:** (Optional) The names of one or more of the minor children for whom paternity has been established above shall be changed as follows:

Current Legal Name

New Name (*optional*)

c. **Minor Child(ren) to Whom This Decree Does Not Apply:**

It is ordered that [] **Party A** [] **Party B** has no legal obligation or right to the minor child(ren) born during the marriage but **not** common to the parties. These minor children include: (Use additional paper if necessary)

Name	Date of Birth

Child expected to be born this date: _____

5. PRIMARY RESIDENCE, PARENTING TIME, and AUTHORITY FOR LEGAL DECISION-MAKING (LEGAL CUSTODY)

a. **PRIMARY RESIDENCE:**

☐ In accord with the Parenting Plan signed by both parties NEITHER parent's home is designated as the primary residence, OR

☐ Party A's home is designated the primary residence of: _____

☐ Party B's home is designated the primary residence of: _____

SUBJECT TO PARENTING TIME AS FOLLOWS:**b. PARENTING TIME:**

☐ Reasonable parenting time rights as described in the Parenting Plan attached as Exhibit B and made a part of this Decree. By attaching the Parenting Plan to this Order, the Parenting Plan becomes part of the final Order and carries the same legal weight as any other order of this Court. **OR**

☐ NO PARENTING TIME RIGHTS to ☐ Party A OR ☐ Party B, **OR**

☐ SUPERVISED PARENTING TIME to ☐ Party A OR ☐ Party B according to the terms of the Parenting Plan attached as Exhibit B and made part of this Decree. Parenting time may only take place in the presence of another person, named below or otherwise approved by the Court.

No Parenting Time or Supervised Parenting Time is in the best interests of the child(ren) because: (Explain) _____

(IF supervised) Name of supervisor: _____

The cost of supervised parenting time will be paid by the:

- ☐ The party being supervised,
☐ The party having legal decision-making, **OR**
☐ Shared equally by the parties

Restrictions on parenting time (if applicable): _____

c. AUTHORITY FOR LEGAL DECISION-MAKING (LEGAL CUSTODY):

1. ☐ **SOLE AUTHORITY CONCERNING LEGAL DECISION-MAKING** for the minor children is awarded to:

☐ Party A, **OR** ☐ Party B,

OR

2. ☐ **JOINT LEGAL DECISION-MAKING (JOINT LEGAL CUSTODY):** Party A and Party B agree to act as joint legal decision makers regarding the minor child(ren), pursuant to A.R.S. § 25-403, and as set forth in the Joint Legal Decision-Making (Custody) Agreement and Parenting Plan signed by both parties and attached to this Decree as **"Exhibit B."** There having been no significant acts of Domestic Violence by either parent, or the Court having found it in the best interests of the minor child(ren), the Court adopts the terms of the Joint Legal Decision-Making (Custody) Agreement and Parenting Plan, which is attached to and made party of this Decree.

6. CHILD SUPPORT:

- a. ☐ The Child Support Order, _____, is attached hereto and incorporated by reference.
(Date of Order)

☐ **Party A**, OR ☐ **Party B** shall pay child support to the other party in the amount of \$_____ per month **PAYABLE THE FIRST DAY OF THE MONTH** after the date this Decree is signed by the judge until further order of the Court. All child support payments shall be made through the Support Payment Clearinghouse, PO Box 52107, Phoenix, Arizona 85072-7107 by income withholding order and must include the statutory fee for the Income Withholding Order signed this date.

- ☐ This Court cannot make a legal order, without personal service of the Petition for Dissolution, with respect to issues of child support, or medical, dental and vision care insurance for the minor child(ren). The court reserves jurisdiction to enter further orders at such time as the Court acquires personal jurisdiction over the responding party.

b. MEDICAL, DENTAL, VISION CARE FOR MINOR CHILDREN:

☐ **Party A** is responsible for providing: ☐ medical ☐ dental ☐ vision care insurance.

☐ **Party B** is responsible for providing: ☐ medical ☐ dental ☐ vision care insurance.

Medical, dental, and vision care insurance, payments and expenses are based on the information in the Parent's Worksheet for Child Support attached and incorporated by reference. The party ordered to pay must keep the other party informed of the insurance company name, address and telephone number, and must give the other party the documents necessary to submit insurance claims.

Non-Covered Expenses

☐ **Party A** is ordered to pay: _____ %,

☐ **Party B** is ordered to pay: _____ %,

For uninsured medical, dental, vision care, prescription and other health care charges for the minor child(ren), including co-payments.

7. SPOUSAL MAINTENANCE/SUPPORT:

- a. ☐ **Neither party shall pay spousal maintenance/support (alimony) to the other party, OR**

- b. ☐ **Party A**, OR ☐ **Party B** is ordered to pay the other party the sum of \$_____ per month spousal maintenance/support **BEGINNING THE FIRST DAY OF THE MONTH** after the date this Decree is signed. Each payment shall be made by the first day of each month after that and shall continue until the receiving party is remarried or deceased **or** until (date)_____.

All payments shall be made through the Support Payment Clearinghouse PO Box 52107, Phoenix, Arizona 85072-7107 by income withholding order until all required payments have been made under this Decree. Payments made shall be included in receiving spouse's taxable income and is tax deductible from the paying spouse's income as required by law. Spousal maintenance payments end if the receiving party is remarried or deceased.

8. PROPERTY, DEBTS AND TAX RETURNS:

- a. ☐ Party A is ordered to pay all debts unknown to Party B, AND
- ☐ Party B is ordered to pay all debts unknown to Party A, AND
- ☐ Each party is ordered to pay his or her debts from the following date, _____
- b. ☐ Other orders and relief relating to property or debt are contained in Exhibit A, which is attached and incorporated into this Decree.
- c. ☐ Each party is assigned his or her separate property and Party A must pay his/her separate debt, and Party B must pay his/her separate debt.
- d. ☐ This Decree can be used as a transfer of title and can be recorded. Parties shall sign all documents necessary to complete all transfer of title ordered in this Decree, such as motor vehicles, houses, and bank accounts. The parties shall transfer all real and personal property as described in Exhibit A to the other party on or before _____ by 5:00 p.m.

If the party required to transfer the property has not transferred the property to the party entitled to receive the property on or before the date and time listed above, the party entitled to receive the property is entitled upon application to a Writ of Assistance or Writ of Execution to be issued by the Clerk of the Court commanding the sheriff to put him or her in possession of the property.

- e. ☐ For previous calendar years, pursuant to IRS rules and regulations, the parties will file:
- ☐ joint federal and state income tax returns and hold the other harmless from half of all additional income taxes and other costs, if any, and each will share equally in any refunds, OR
- ☐ separate federal and state income tax returns. AND,
- ☐ This calendar year and continuing thereafter, each party will file separate federal and state income tax returns. AND,

9. FINANCIAL INFORMATION EXCHANGES: The parties shall exchange financial information (tax returns, spousal affidavits, earning statements and/or other related financial statements) every twenty-four months. Each party shall give the other party all necessary documentation to file all tax returns.

- 10. TAX EXEMPTION:** The parties shall claim as income tax dependency exemptions on federal and state tax returns as follows. A party required to pay child support is only entitled to claim minor child(ren) as an income tax dependency exemption if that parent has paid all of the child support due and owing for the year that party is entitled to the exemption:

Name of minor child	Parent entitled to claim		in Tax Year
_____	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	_____
_____	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	_____
_____	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	_____
_____	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	_____
_____	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	_____

- 11. OTHER ORDERS.** (List any other orders.)

FINAL APPEALABLE ORDER. Pursuant to Arizona Rules of Family Law Procedure, Rule 81, this final judgment/decree is settled, approved and signed by the Court and shall be entered by the clerk.

DONE IN OPEN COURT: _____. (D)

JUDGE OR COURT COMMISSIONER

If this Decree was issued as a "Default," and the papers to begin this case were served by any means *other than* by publication, a copy of this Decree shall be mailed or delivered to the responding party within 24 hours of the Court hearing as follows:

Name: _____

Mailing Address: _____

City, State Zip Code: _____

By _____

Date: _____

EXHIBIT A: PROPERTY AND DEBTS (Refer to section "E" in instructions)**1. DIVISION OF COMMUNITY PROPERTY** (property acquired during the marriage)

- ☐ Award each party the personal property in his/her possession.
- ☐ Community property is awarded to each party as follows:

2. LIST OF COMMUNITY PROPERTY (Be very specific in your description of the property.)

		AWARD TO	
		Party A	Party B
<input type="checkbox"/>	Household furniture / furnishings: (Be specific.)		
	_____	<input type="checkbox"/>	<input type="checkbox"/>
	_____	<input type="checkbox"/>	<input type="checkbox"/>
	_____	<input type="checkbox"/>	<input type="checkbox"/>
	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Appliances: (Be specific.)		
	_____	<input type="checkbox"/>	<input type="checkbox"/>
	_____	<input type="checkbox"/>	<input type="checkbox"/>
	_____	<input type="checkbox"/>	<input type="checkbox"/>
	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Video: TV /DVD /VCR: (Be specific)		
	_____	<input type="checkbox"/>	<input type="checkbox"/>
	_____	<input type="checkbox"/>	<input type="checkbox"/>
	_____	<input type="checkbox"/>	<input type="checkbox"/>
	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Audio: Stereo/ Radio: (Be specific)		
	_____	<input type="checkbox"/>	<input type="checkbox"/>
	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Computers and Related Equipment: (Be specific)		
	_____	<input type="checkbox"/>	<input type="checkbox"/>
	_____	<input type="checkbox"/>	<input type="checkbox"/>
	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Other Electronics: (Be specific)		
	_____	<input type="checkbox"/>	<input type="checkbox"/>
	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Motor Vehicles:		
	Year, Make, Model: _____	<input type="checkbox"/>	<input type="checkbox"/>
	Last 4 digits of VIN # _____		
	Year, Make, Model: _____	<input type="checkbox"/>	<input type="checkbox"/>
	Last 4 digits of VIN # _____		

COMMUNITY PROPERTY**AWARD TO:**

Party A

Party B

Motor Vehicles - continued

Year, Make, Model: _____

Last 4 digits of VIN # _____

☐☐☐

Cash, bonds of \$ _____

☐☐☐

Other: _____

☐☐☐

Other: _____

☐☐☐

Other: _____

☐☐☐

Other: _____

☐☐☐

Continues on attached page.

3. DIVISION OF RETIREMENT, PENSION, DEFERRED COMPENSATION

WARNING. You should see a lawyer about your retirement, pension, deferred compensation, 401k plans and/or benefits. If you do not see a lawyer regarding these assets, you risk losing any interest you have in these plans and/or benefits. There are certain documents the plan administrator must have. Only a lawyer can help you prepare these documents.

☐

Neither party has a retirement, pension, deferred compensation, 401K Plan and/or benefits.

OR

☐

Award each party his/her interest in any and all retirement benefits, pension plans, or other deferred compensation described as:

OR

☐Each party **WAIVES AND GIVES UP** his/her interest in any and all retirement benefits, pension plans, or other deferred compensation of the other party:**4. DIVISION OF REAL PROPERTY** (Land and Buildings) Section A is for one piece of property. Section B is for another, separate property.

A. Real property located at (address) _____.

The **legal description** of this property, **as quoted from the DEED to the property*** is:

*** If you do not provide a correct legal description, you may have to come back to court to amend the Decree to include the correct legal description.**

The real property ("A") described above is awarded as the sole and separate property of:

☐

Party A or

☐

Party B OR

☐

Shall be sold and the proceeds divided as follows:

_____ % or \$ _____ to Party A.

_____ % or \$ _____ to Party B.

Real property located at (address) _____

The **legal description** of this property, **as quoted from the DEED to the property*** is:

* If you do not provide a correct legal description, you may have to come back to court to amend the Decree to include the correct legal description.

The real property ("B") described above is awarded as the sole and separate property of:

☐ Party A or ☐ Party B

OR

☐ Shall be sold and the proceeds divided as follows:

_____ % or \$ _____ to Party A.

_____ % or \$ _____ to Party B.

☐ Continues on attached page.

5. **DIVISION OF COMMUNITY DEBT** (Debts incurred during the marriage) (You should see a lawyer about how to divide secured and unsecured debts.)

Community debts shall be divided as follows:

Creditor Name	Amount Owed	Amount to be paid by Party A	Amount to be paid by Party B
a.	\$	\$	\$
b.	\$	\$	\$
c.	\$	\$	\$
d.	\$	\$	\$
e.	\$	\$	\$
f.	\$	\$	\$
g.	\$	\$	\$
h.	\$	\$	\$
i.	\$	\$	\$
j.	\$	\$	\$

☐ Continues on attached page.

6. ☐ Any debts or obligations incurred by either party before the date of separation, that are not identified in the list above or attached, shall be paid by the party who incurred the debt or obligation and that party shall indemnify and hold the other party harmless from such debts.

7. SEPARATE PROPERTY. (Property acquired before the marriage or by gift or bequest to one party.)

Property recognized as the separate property of the Party A or Party B, is assigned below:

Description	Value	To Party A	To Party B
	\$	<input type="checkbox"/>	<input type="checkbox"/>
	\$	<input type="checkbox"/>	<input type="checkbox"/>
	\$	<input type="checkbox"/>	<input type="checkbox"/>
	\$	<input type="checkbox"/>	<input type="checkbox"/>
	\$	<input type="checkbox"/>	<input type="checkbox"/>
	\$	<input type="checkbox"/>	<input type="checkbox"/>
	\$	<input type="checkbox"/>	<input type="checkbox"/>
	\$	<input type="checkbox"/>	<input type="checkbox"/>

8. SEPARATE DEBT: (Debt acquired before the marriage.)

Debt recognized as the separate debt of the Party A or Party B, is assigned below:

Creditor Name	Debt Amount	Party A Pays	Party B Pays
	\$	<input type="checkbox"/>	<input type="checkbox"/>
	\$	<input type="checkbox"/>	<input type="checkbox"/>
	\$	<input type="checkbox"/>	<input type="checkbox"/>
	\$	<input type="checkbox"/>	<input type="checkbox"/>
	\$	<input type="checkbox"/>	<input type="checkbox"/>
	\$	<input type="checkbox"/>	<input type="checkbox"/>
	\$	<input type="checkbox"/>	<input type="checkbox"/>

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____

For Clerk's Use Only

Representing ☐ Self, without a Lawyer or ☐ Attorney for ☐ Petitioner OR ☐ Respondent

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

Name of Petitioner / Party A

Case Number: _____

AND

PARENTING PLAN FOR:

☐ JOINT LEGAL DECISION-MAKING (JOINT LEGAL CUSTODY) WITH JOINT LEGAL DECISION-MAKING (JOINT LEGAL CUSTODY) AGREEMENT

Or

☐ SOLE LEGAL DECISION-MAKING (SOLE LEGAL CUSTODY)

☐ to Party A

☐ to Party B

Name of Respondent / Party B

INSTRUCTIONS

This document has 4 parts: PART 1) General Information; PART 2) Legal Decision-Making (Legal Custody) and Parenting Time; PART 3) Danger to Children Notification Statement; and PART 4) Joint Legal Decision-Making (Joint Legal Custody) Agreement. Where this form refers to "children" it refers to any and all minor children common to the parties whether one or more.

One or both parents must complete and sign the Plan as follows:

- a. If only *one* parent is submitting the Plan: that parent must sign at the end of PART 2 and 3.
- b. If both parents agree to legal decision-making (legal custody) and parenting time arrangements *but not to joint legal decision-making (legal custody)*: Both parents must sign the Plan at the end of PART 2 and 3.
- c. If both parents agree to joint legal decision-making (joint legal custody) and parenting time arrangements as presented in the Plan: Both parents must sign the Plan at the end of PART 2, 3, and 4.

PART 1: GENERAL INFORMATION:

- A. MINOR CHILDREN.** This Plan concerns the following minor children:
(Use additional paper if necessary)

_____	_____
_____	_____
_____	_____

- B. THE FOLLOWING LEGAL DECISION-MAKING (LEGAL CUSTODY) ARRANGEMENT IS REQUESTED:**

(Choose ONE of 1, 2, 3, 4.) (If you chose "sole legal decision-making authority" [1 or 2], you have the option of also requesting restrictions on the parenting time of the other party.

- ☐ **1. SOLE LEGAL DECISION-MAKING (SOLE LEGAL CUSTODY) BY AGREEMENT.**

The parents agree that sole legal decision-making authority (sole legal custody) should be granted to

☐ Party A ☐ Party B.

The parents agree that since each has a unique contribution to offer to the growth and development of their minor children, each of them will continue to have a full and active role in providing a sound moral, social, economic, and educational environment for the benefit of the minor children, as described in the following pages,

OR

- ☐ **2. SOLE LEGAL DECISION-MAKING (SOLE LEGAL CUSTODY) REQUESTED BY THE PARENT SUBMITTING THIS PLAN.** The parents cannot agree to the terms of legal decision-making (legal custody) and parenting time. The parent submitting this Plan asks the Court to order sole legal decision-making authority and parenting time according to this Plan.

(Optional, if you marked 1 or 2 above)

- ☐ **RESTRICTED, SUPERVISED, OR NO PARENTING TIME.**

The parent submitting this Plan asks the court for an order restricting parenting time. The facts and information related to this request are described in the Petition or Response.

OR

- ☐ **3. JOINT LEGAL DECISION-MAKING (JOINT LEGAL CUSTODY) BY AGREEMENT.** The parents agree to joint legal decision-making (joint legal custody) and request the Court to approve the joint legal decision-making arrangement as described in this Plan.

OR

- ☐ **4. JOINT LEGAL DECISION-MAKING AUTHORITY (JOINT LEGAL CUSTODY) REQUESTED BY THE PARENT SUBMITTING THIS PLAN.** The parents cannot agree to the terms of legal decision-making and parenting time **or** are unable to submit this plan together at this time. My request for joint legal decision-making authority is deferred for the Court's determination.

PART 2: PHYSICAL CUSTODY AND PARENTING TIME. Complete each section below. Be specific about what you want the Judge to approve in the court order.

A. (School Year) WEEKDAY AND WEEKEND TIME-SHARING SCHEDULE:

- ☐ The minor children will be in the care of Party A as follows: (Explain). _____
- ☐ The minor children will be in the care of Party B as follows: (Explain). _____
- ☐ Other physical custody arrangements are as follows: (Explain). _____
- ☐ Transportation will be provided as follows:
- ☐ **Party A** or ☐ **Party B** will pick the minor children up at _____ o'clock.
- ☐ **Party A** or ☐ **Party B** will drop the minor children off at _____ o'clock.

Parents may change their time-share arrangements by mutual agreement with at least _____ days' notice in advance to the other parent.

B. SUMMER MONTHS OR SCHOOL BREAK LONGER THAN 4 DAYS: The weekday and weekend schedule described above will apply for all 12 calendar months **EXCEPT:**

- ☐ During summer months or school breaks that last longer than 4 days, no changes shall be made. **OR,**
- ☐ During summer months or school breaks that last longer than 4 days, the minor children will be in the care of Party A: (Explain) _____
- ☐ During summer months or school breaks that last longer than 4 days, the minor children will be in the care of Party B: (Explain) _____
- ☐ Each parent is entitled to a _____ week period of vacation time with the minor children. The parents will work out the details of the vacation at least _____ days in advance.

C. TRAVEL

- ☐ Should either parent travel out of the area with the minor children, each parent will keep the other parent informed of travel plans, address(es), and telephone number(s) at which that parent and the minor children can be reached.
- ☐ Neither parent shall travel with the minor children outside Arizona for longer than _____ days without the prior written consent of the other parent or order of the court.

- D. HOLIDAY SCHEDULE:** The holiday schedule takes priority over the regular time-sharing schedule as described above. Check the box(es) that apply and indicate the years of the holiday access/Parenting time schedule.

Holiday	Even Years		Odd Years	
<input type="checkbox"/> New Year's Eve	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> New Year's Day	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> Spring Vacation	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> Easter	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> 4th of July	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> Halloween	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> Veteran's Day	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> Thanksgiving	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> Hanukkah	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> Christmas Eve	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> Christmas Day	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> Winter Break	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> Child's Birthday	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> Mother's Day	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B
<input type="checkbox"/> Father's Day	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	<input type="checkbox"/> Party A	<input type="checkbox"/> Party B

- ☐ **Each parent may have the children on his or her birthday.**
- ☐ **Three-day weekends** which include Martin Luther King Day, Presidents' Day, Memorial Day, Labor Day, Columbus Day, the children will remain in the care of the parent who has the minor children for the weekend.
- ☐ **Other Holidays** (Describe the other holidays and the arrangement) :

- ☐ **Telephone Contact:** Each parent may have telephone contact with the minor children during the children's normal waking hours, **OR:** (Explain) _____

- ☐ **Other** (Explain) : _____

- E. PARENTAL ACCESS TO RECORDS AND INFORMATION:** Under Arizona law (A.R.S. § 25-403.06), unless otherwise provided by court order or law, on reasonable request, both parents are entitled to have equal access to documents and other information concerning the minor children's education and physical, mental, moral and emotional health including medical, school, police, court and other records. A person who does not comply with a reasonable request for these records shall reimburse the requesting parent for court costs and attorney fees incurred by that parent to make the other parent obey this request. A parent who attempts to restrict the release of documents or information by the custodian of the records without a prior court order is subject to legal sanctions.

F. EDUCATIONAL ARRANGEMENTS:

- ☐ Both parents have the right to participate in school conferences, events and activities, and the right to consult with teachers and other school personnel.
- ☐ Both parents will make major educational decisions together. (optional) ☐ If the parents do not reach agreement, then: _____

OR

- ☐ Major educational decisions will be made by ☐ Party A ☐ Party B after consulting other parent.

G. MEDICAL AND DENTAL ARRANGEMENTS:

- ☐ Both parents have the right to authorize emergency medical treatment, if needed, and the right to consult with physicians and other medical practitioners. Both parents agree to advise the other parent immediately of any emergency medical/dental care sought for the minor children, to cooperate on health matters concerning the children and to keep one another reasonably informed. Both parents agree to keep each other informed as to names, addresses and telephone numbers of all medical/dental care providers.
- ☐ Both parents will make major medical decisions together, except for emergency situations as noted above. (optional) ☐ If the parents do not reach an agreement, then:
- _____

OR

- ☐ Major medical/dental decisions will be made by ☐ Party A ☐ Party B after consulting other parent.

H. RELIGIOUS EDUCATION ARRANGEMENTS: (Choose ONE)

- ☐ Each parent may take the minor children to a church or place of worship of his or her choice during the time that the minor children is/are in his or her care.
- ☐ Both parents agree that the minor children may be instructed in the _____ faith.
- ☐ Both parents agree that religious arrangements are not applicable to this plan.

I. ADDITIONAL ARRANGEMENTS AND COMMENTS:

- ☐ **NOTIFY OTHER PARENT OF ADDRESS CHANGE.** Each parent will inform the other parent of any change of address and/or phone number in advance **OR** within _____ days of the change.
- ☐ **NOTIFY OTHER PARENT OF EMERGENCY.** Both parents agree that each parent will promptly inform the other parent of any emergency or other important event that involves the minor children.
- ☐ **TALK TO OTHER PARENT ABOUT EXTRA ACTIVITIES.** Each parent will consult and agree with the other parent regarding any extra activity that affects the minor children's access to the other parent.
- ☐ **ASK OTHER PARENT IF HE/SHE WANTS TO TAKE CARE OF CHILDREN.** Each parent agrees to consider the other parent as care-provider for the minor children before making other arrangements
- ☐ **OBTAIN WRITTEN CONSENT BEFORE MOVING.** Neither parent will move with the minor children out of the Phoenix metropolitan area without prior written consent of the other parent, or a court ordered Parenting Plan. **A.R.S. 25-408 (B)**
- ☐ **COMMUNICATE.** Each parent agrees that all communications regarding the minor children will be between the parents and that they will **not** use the minor children to convey information or to set up parenting time changes.
- ☐ **METHOD OF COMMUNICATION.** Each parent agrees to use the following means of communication:
_____.
- ☐ **FREQUENCY OF COMMUNICATION.** Each parent agrees to communicate regarding the child(ren) on a regular basis. That communication schedule will be:

and will be by the following methods: ☐ Phone ☐ Email ☐ Other
- ☐ **PRAISE OTHER PARENT.** Each parent agrees to encourage love and respect between the minor children and the other parent, and neither parent shall do anything that may hurt the other parent's relationship with the minor children
- ☐ **COOPERATE AND WORK TOGETHER.** Both parents agree to exert their best efforts to work cooperatively in future plans consistent with the best interests of the minor children and to amicably resolve such disputes as may arise.
- ☐ **NOTIFY OTHER PARENT OF PROBLEMS WITH TIME-SHARING AHEAD OF TIME.** If either parent is unable to follow through with the time-sharing arrangements involving the minor child(ren), that parent will notify the other parent as soon as possible.
- ☐ **PARENTING PLAN.** Both parents agree that if either parent moves out of the area and returns later, they will use the most recent ***"Parenting Plan/Access Agreement"*** in place before the move.
- ☐ **MEDIATION.** If the parents are unable to reach a mutual agreement regarding a legal change to their parenting orders, they may request mediation through the court or a private mediator of their choice.

NOTICE: DO NOT DEVIATE FROM PLAN UNTIL DISPUTE IS RESOLVED.

Both parents are advised that while a dispute is being resolved, neither parent shall deviate from this Parenting Plan, or act in such a way that is inconsistent with the terms of this agreement.

Once this Plan has been made an order of the Court, if either parent disobeys the court order related to parenting time with the children, the other parent may submit court papers to request enforcement. See the Law Library Resource Center packets "To Make Someone Obey a Court Order" for help.

PART 2: SIGNATURE OF ONE OR BOTH PARENTS (as instructed on page 1)

Signature of Party A: _____ Date: _____

Signature of Party B: _____ Date: _____

PART 3: STATEMENT REGARDING CONTACT WITH SEX OFFENDERS AND PERSONS CONVICTED OF DANGEROUS CRIMES AGAINST CHILDREN.

According to A.R.S. §25-403.05, a child's parent or custodian must immediately notify the other parent or custodian if the person knows that a convicted or registered sex offender or someone who has been convicted of a dangerous crime against children may have access to the child.

The parent or custodian must provide notice by first class mail, return receipt requested, by electronic means to an electronic mail address that the recipient provided to the parent or custodian for notification purposes or by another form of communication accepted by the court.

According to A.R.S. § 13-705 (P) (1), "Dangerous crime against children" means any of the following that is committed against a minor who is under fifteen years of age:

- (a) Second degree murder.
- (b) Aggravated assault resulting in serious physical injury or involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument.
- (c) Sexual assault.
- (d) Molestation of a child.
- (e) Sexual conduct with a minor.
- (f) Commercial sexual exploitation of a minor.
- (g) Sexual exploitation of a minor.
- (h) Child abuse as prescribed in section 13-3623, subsection A, paragraph 1.
- (i) Kidnapping.
- (j) Sexual abuse.
- (k) Taking a child for the purpose of prostitution as prescribed in section 13-3206.
- (l) Child prostitution as prescribed in section 13-3212.
- (m) Involving or using minors in drug offenses.
- (n) Continuous sexual abuse of a child.
- (o) Attempted first degree murder.
- (p) Sex trafficking.
- (q) Manufacturing methamphetamine under circumstances that cause physical injury to a minor.
- (r) Bestiality as prescribed in section 13-1411, subsection A, paragraph 2.
- (s) Luring a minor for sexual exploitation.
- (t) Aggravated luring a minor for sexual exploitation.
- (u) Unlawful age misrepresentation.

PART 3: SIGNATURE OF ONE OR BOTH PARENTS (as instructed on page 1)

I/We have read, understand, and agree to abide by the requirements of A.R.S. § 25-403.05 concerning notification of other parent or custodian if someone convicted of dangerous crime against children may have access to the child.

Signature of Party A: _____ Date: _____

Signature of Party B: _____ Date: _____

PART 4: JOINT LEGAL DECISION MAKING (JOINT LEGAL CUSTODY) AGREEMENT (IF APPLICABLE):

- A. DOMESTIC VIOLENCE:** Arizona Law (A.R.S. § 25-403.03) states that joint legal decision-making authority (joint legal custody) shall NOT be awarded if there has been "a history of significant domestic violence".

☐ Domestic Violence has **not** occurred between the parties, **OR**

- ☐ Domestic Violence **has** occurred but it has not been “significant” or has been committed by both parties.*

B. DUI or DRUG CONVICTIONS: (A.R.S. § 25-403.04)

- ☐ Neither party has been convicted of driving under the influence or a drug offense within the past 12 months, OR
- ☐ One of the parties **HAS** been convicted of driving under the influence or a drug offense within the past 12 months but the parties feel Joint Legal Decision-Making (Legal Custody) is in the best interest of the children.*

*** IF THERE HAS BEEN DOMESTIC VIOLENCE OR A DUI OR DRUG CONVICTION:
Attach an extra page explaining why Joint Legal Decision-Making (Legal Custody) is still in the best interest of the children.**

C. JOINT LEGAL DECISION-MAKING (JOINT LEGAL CUSTODY) AGREEMENT: If the parents have agreed to joint legal decision-making (legal custody), the following will apply, subject to approval by the Judge:

1. **REVIEW:** The parents agree to review the terms of this agreement and make any necessary or desired changes every _____ month(s) from the date of this document.
2. **CRITERIA.** Our joint legal decision-making (joint legal custody) agreement meets the criteria required by Arizona law A.R.S. § 25-403.02, as listed below:
 - a. The best interests of the minor children are served;
 - b. Each parent's rights and responsibilities for personal care of the minor children and for decisions in education, health care and religious training are designated in this Plan;
 - c. A practical schedule of the parenting time for the minor children, including holidays and school vacations is included in the Plan;
 - d. A procedure for the exchange(s) of the child(ren) including location and responsibility for transportation.
 - e. The Plan includes a procedure for periodic review;
 - f. The Plan includes a procedure by which proposed changes, disputes and alleged breaches may be mediated or resolved.
 - g. A procedure for communicating with each other about the child, including methods and frequency.

PART 4: SIGNATURES OF BOTH PARENTS REQUESTING JOINT LEGAL DECISION-MAKING AUTHORITY (LEGAL CUSTODY) (as instructed on page 1)

Signature of Party A: _____ Date: _____

Signature of Party B: _____ Date: _____

Person Filing: _____
Address (if not protected): _____
City, State, Zip Code: _____
Telephone: _____
Email Address: _____
ATLAS Number: _____
Lawyer's Bar Number: _____

For Clerk's Use Only

Representing ☐ Self, without a Lawyer or ☐ Attorney for ☐ Petitioner OR ☐ Respondent

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

Petitioner / Party A

Case No. _____

Date of Birth (Month, Date, Year)

ATLAS No. _____

Respondent / Party B

CHILD SUPPORT ORDER

A.R.S. § 25-503

Date of Birth (Month, Date, Year)

THE COURT FINDS:

1. Party A: _____ and

Party B: _____

Have a duty to support the following children:

Child(ren)'s Name(s)

Date of Birth

2. CHILD SUPPORT GUIDELINES: The required financial factors and any discretionary adjustments pursuant to the Arizona Child Support Guidelines are as set forth in the Parent's Worksheet for Child Support Amount, attached and incorporated by reference.

3. CHILD SUPPORT:

☐ ☐ **Party A** ☐ **Party B** is ordered to pay child support in the amount of \$_____ per month to _____ pursuant to the Arizona Child Support Guidelines without deviation.

☐ ☐ **Party A** ☐ **Party B** is obligated to pay child support to ☐ **Party A** ☐ **Party B** in the amount of \$_____ per month pursuant to the Arizona Child Support Guidelines without deviation. This amount is an appropriate amount to award for child support in this case except that the Court finds it more appropriate and just to make a **rounding adjustment** to the exact guideline amount for ease of calculation to \$_____ per month.

☐ ☐ **Party A** ☐ **Party B** is obligated to pay child support to ☐ **Party A** ☐ **Party B** in the amount of \$_____ per month pursuant to the Arizona Child Support Guidelines. Application of the child support guidelines in this case is inappropriate or unjust. The Court has considered the best interests of the child in determining that a **deviation** is appropriate.

After deviation the child support order is \$_____ per month.

☐ ☐ **Party A** ☐ **Party B** is obligated to pay child support to ☐ **Party A** ☐ **Party B** in the amount of \$_____ per month pursuant to the Arizona Child Support Guidelines. Application of the child support guidelines in this case is inappropriate or unjust. The Court has considered the best interests of the child in determining that a **deviation** is appropriate.

After deviation the child support order is \$_____ per month. Further, the parties have entered into a **written agreement** or their agreement is on the record and is free of duress and coercion with knowledge of the amount of child support that would have been ordered under the guidelines but for the agreement.

Reason(s) for deviation:

4. SUPPORT ARREARS:

- ☐ ☐ **Party A** ☐ **Party B** owes child support arrearages to ☐ **Party A**
☐ **Party B** in the total amount of \$_____ for the time period of _____ through _____ plus
 accrued interest on prior child support arrearages due of \$_____ calculated
 through the date of _____.
- ☐ The Court finds **no child support arrearages due** and owing.
- ☐ **No evidence** was presented in support of child support arrearages.

5. PAST SUPPORT:

- ☐ It is appropriate to award ☐ **Party A** ☐ **Party B** an additional judgment for past support in the amount of \$_____ for the **period between the filing of this current petition** and the date current child support is ordered to begin.
- ☐ **Temporary support or voluntary / direct support payments** in the amount of \$_____ were paid during the period above; therefore the past support is adjusted to \$_____.
- ☐ It is appropriate to award ☐ **Party A** ☐ **Party B** an additional judgment in the amount of \$_____ for past support owed from the **date of separation, but not more than three years** before the date of filing the current petition.
- ☐ **Temporary support or voluntary / direct support payments** in the amount of \$_____ were paid during the period above; therefore the past support is adjusted to \$_____.
- ☐ The Court finds **no past support amount due** and owing.
- ☐ **No evidence** was presented in support of past child support.
- ☐ The Court finds **no temporary support or voluntary / direct support** payments were paid.
- ☐ **No evidence** was presented in support temporary support or voluntary / direct support payments.

6. INTEREST:

- ☐ The Court finds interest in the amount of \$_____ due to
☐ **Party A** ☐ **Party B**
 For the period of: _____ to _____.

IT IS ORDERED THAT:**1. CHILD SUPPORT JUDGMENT:**

☐ **Party A** ☐ **Party B** shall pay child support to _____ in the amount of \$ _____ per month. This monthly amount, payable by income withholding order, shall be paid on the 1st day of each month beginning _____.

2. SUPPORT ARREARAGES JUDGMENT:

☐ **Party A** ☐ **Party B** is granted judgment against _____ in the amount of \$ _____ as and for child support arrearages for the period of _____ through the date of _____ together with interest on said amount at the legal rate of 10% per annum until paid in full, plus additional accrued interest on prior child support judgments of \$ _____ calculated through the date of _____.

☐ **Party A** ☐ **Party B** shall pay, in addition to ☐ his OR ☐ her current support payment, the amount of \$ _____ per month toward this judgment, payable on the first day of each month, beginning _____ until paid in full.

☐ **NO Judgment** for child support **arrearages** is entered.

3. PAST SUPPORT JUDGMENT:

☐ **Party A** ☐ **Party B** is granted a past support judgment against ☐ **Party A** ☐ **Party B** in the additional amount of \$ _____. ☐ **Party A** ☐ **Party B** shall pay the additional amount of \$ _____ per month toward this judgment, payable on the first day of each month commencing _____ until paid in full.

OR

☐ **NO Judgment** for past support is entered.

4. PAYMENTS AND CLEARINGHOUSE: All payments, plus the statutory handling fee, shall be made through the Support Payment Clearinghouse pursuant to an Order of Assignment, or "Income Withholding Order" signed this date. Any time the full amount of support ordered is not withheld, the person obligated to pay (the obligor) remains responsible for the full monthly amount ordered. Payments not made directly through the Support Payment Clearinghouse shall be considered *gifts* unless otherwise ordered. All payments shall be made payable to and mailed directly to:

**Support Payment Clearinghouse
P.O. Box 52107
Phoenix, AZ 85072-2107**

Payments must include ☐ **Party A's** or ☐ **Party B's** name, and ATLAS number. Pursuant to A.R.S. § 25-322, the parties shall submit current address information in writing to the Clerk of the Superior Court and the Support Payment Clearinghouse immediately. The obligor (party being ordered to pay) shall submit the names and addresses of his or her employers or other payors within 10 days. Both parties shall submit address changes within 10 days of the change.

5. TOTAL MONTHLY PAYMENTS:

☐ **Party A** ☐ **Party B** shall make total monthly payments to ☐ **Party A** ☐ **Party B** in the amount of \$ _____ per month, payable on the first day of each month, beginning _____ as follows:

Monthly Payments:

Current child support payment as ordered above: \$ _____

Current spousal maintenance payment: \$ _____

Support arrearage payment: \$ _____

Clearinghouse handling fee: \$ _____ \$ 5.00

TOTAL MONTHLY PAYMENT: \$ _____

6. MEDICAL, DENTAL, VISION CARE INSURANCE FOR MINOR CHILDREN:

☐ ☐ **Party A** OR ☐ **Party B** is responsible for providing ☐ medical ☐ dental ☐ vision care insurance for the minor child(ren) and shall continue to pay premiums for any medical, dental and vision policies covering the child(ren) that are currently included in the incorporated Parent's Worksheet for Child Support.

OR

☐ ☐ **Party A** OR ☐ **Party B** shall be individually responsible for providing medical insurance for the minor child(ren) of the parties as soon as it becomes accessible and available at a reasonable cost, as neither party currently has the ability to obtain such medical insurance.

Medical, dental, and vision insurance, payments and expenses are based on the information in the Parent's Worksheet for Child Support attached hereto and incorporated by reference.

The party ordered to pay must keep the other party informed of the insurance company name, address and telephone number, and must give the other party the documents necessary to submit insurance claims. An insurance card must be provided to the other party. Notification must also be provided to the other party if coverage is no longer being provided for the child(ren).

7. NON-COVERED MEDICAL EXPENSES:

☐ **Party A** is ordered to pay _____ % and ☐ **Party B** is ordered to pay _____ % of all reasonable uncovered and/or uninsured medical, dental, vision, prescription and other health care charges for the minor child(ren).

- A request for payment or reimbursement of uninsured medical, dental and/or vision costs must be provided to the other party **within 180 days** after the date the services occur.
- The party responsible for payment or reimbursement must pay their share, as ordered by the Court, or make acceptable payment arrangements with the provider or person entitled to reimbursement **within 45 days** after receipt of the request.

8. TRAVEL EXPENSES: The costs of travel related to parenting time over 100 miles one way shall be shared as follows: **Party A** _____ % **Party B** _____ %

9. INFORMATION EXCHANGE: The parties shall exchange financial information such as copies of tax returns, financial affidavits, and earnings statements **every twenty-four months**. At the time the parties exchange financial information, they shall also exchange residential addresses and the names and addresses of their employers unless the Court has ordered otherwise.

10. TAX EXEMPTIONS: The Court allocates the following federal tax exemption(s) for the dependent child(ren):

Child's Name	Date of Birth (Month, Day, Year)	Parent Entitled to Deduction		For Calendar Year
		<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	
		<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	
		<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	
		<input type="checkbox"/> Party A	<input type="checkbox"/> Party B	

For years following those listed above while this Child Support Order remains in effect, the parties shall repeat the pattern above of claiming deductions for each child.

☐ **Party A** or ☐ **Party B** may claim the allocated tax exemptions only if all support and arrears ordered for the year have been paid by December 31 of that year. An Internal Revenue Service form 8332 may need to be signed and filed with a party's income tax return. See *IRS Form 8332 for more detailed information*.

☐ **Party A** or ☐ **Party B** may unconditionally claim the tax exemption allocated to ☐ **Party A** or ☐ **Party B** for income tax purposes. An Internal Revenue Service Form 8332 may need to be signed and filed with a party's income tax return. See *IRS Form 8332 for more detailed information*.

Even though the court's judgment contains orders regarding medical insurance and the allocation of the right to claim the child as a dependent for the purposes of federal taxes, these orders are not binding on the IRS. Under the Affordable Care Act, the party who claims a child as a dependent on a federal tax return has the obligation to ensure that the child is covered by medical insurance and may be penalized by the IRS for failing to do so. This penalty may be imposed even if it is the other party's responsibility to carry medical insurance on the child under the Decree of Dissolution of Marriage.

11. MODIFICATION: If this is a modification of child support, all other prior orders of this Court not modified remain in full force and effect.

12. EMANCIPATION: A child is emancipated:

- On the child's 18th birthday, however if a child is still attending high school or a certified high school equivalency program, support will continue until graduation of the child reaches 19 years of age.
- On the date of the child's marriage.
- When the child is adopted.
- When the child dies.

13. OTHER FINDINGS AND ORDERS:

14. FINAL APPEALABLE ORDER. Pursuant to Arizona Rules of Family Law Procedure, Rule 81, this final judgment/decreed is settled, approved and signed by the Court and shall be entered by the clerk.

Date

Judicial Officer

15. STIPULATION. Signature by both Parties (if applicable):

☐ **Party A** ☐ **Party B**, by signing this document, we state to the Court under penalty of perjury that we read and agree to this Court Order, and that all the information contained in it is true, correct, and complete to the best of our knowledge and belief.

Party A's Signature

Date

Party B's Signature

Date

If either party is represented by a lawyer, the lawyer must sign below:

Party A's Lawyer Signature

Date

Party B's Lawyer Signature

Date